EPA Receives Request for Experimental Permit to Combat Mosquitoes

The U.S. Environmental Protection Agency has received an application for an experimental use permit that would allow Oxitec to study the use of genetically engineered mosquitoes to reduce mosquito populations. EPA is sharing a description of the application with the public for a 30-day comment period, closing Oct. 11, 2019.

Oxitec’s proposed experimental program is designed to take place over 24 months on up to 6,600 acres in Harris County, Texas, and Monroe County, Florida. View the proposal description.

Public comments about this proposed permit should be submitted to EPA-HQ-OPP-2019-0274 on or before Oct. 11, 2019.

“Waters of the United States” Returns to Pre-2015 Definition

U.S. Environmental Protection Agency (EPA) Administrator Andrew Wheeler and Department of the Army Assistant Secretary of the Army for Civil Works R.D. James announced this month that the agencies are repealing a 2015 rule that impermissibly expanded the definition of “waters of the United States” (WOTUS) under the Clean Water Act. The agencies are also recodifying the longstanding and familiar regulatory text that existed prior to the 2015 Rule—ending a regulatory patchwork that required implementing two competing Clean Water Act regulations, which has created regulatory uncertainty across the United States.

Additional information is available at: http://www.epa.gov/wotus-rule.

What this means for you – there will be less confusion when deciphering what is and is not a Water of the United States. This will make Clean Water Act permit compliance and reporting slightly less cumbersome.

U.S. Fish and Wildlife Service Receives Deadline for Critical Habitat Designation

*Bombs affinis*, or the Rusty Patch Bumblebee is listed as Endangered under the Endangered Species Act (ESA) by the United States Fish and Wildlife Service (USFWS). Historically this species has been broadly distributed across the eastern and midwest United States with incursions into southeastern Canada. Critical habitats were never designated for the endangered species in 2017, which left unsure capacity for knowing exactly where this species coincided with a likely habitat. The Natural Resource Defense Council (NDRC) has made an announcement of their settlement in ESA litigation involving the USFWS and the designation of the critical habitat for the Rusty Patch bumblebee. The USFWS will have until July 31, 2020 to decide whether habitat will be designated and if so, will have another full year to finalize that designation on July 31, 2021. These processes do take time and with these possibly designated habitats in zones of high probability for West Nile virus transmission and the mosquitoes associated with should raise the eyebrows of all the membership in the perspective on how this may change how we apply public health pesticides in these areas.

Check this Out!

The *Journal of Medical Entomology* has just published a special collection of papers on “Twenty Years of West Nile Virus in the United States." All the papers are free to read and download.

The collection features a group of Forum papers describing the impact and epidemiology of West Nile virus prepared by researchers whose careers and research efforts have been largely devoted to tracking, controlling, or investigating this virus in the United States over the previous 20 years, and presents the authors’ synthesis of thought on a variety of topics related to the virus, focusing on the ongoing outbreak in the United States.
Thank you to the Entomological Society of America for sharing this information. The full list of papers is available here: https://academic.oup.com/jme/pages/twenty-years-of-west-nile-virus-in-the-united-states.

EPA Seeks Comment on Process for Evaluating Pesticide Synergy for Ecological Risk Assessments

EPA has developed an interim process to review synergy data for mixtures of pesticide active ingredients and potentially incorporate that information into our ecological risk estimates. The interim process will be available for public comment on or before October 24, 2019 on www.regulations.gov in docket EPA-HQ-OPP-2017-0433.

EPA generally evaluates pesticide ecological risks based on toxicity information from studies conducted with single active ingredients. This is based on best available evidence on pesticide interactions and the expectation that those interactions are rare. More recently, patent claims of synergy against target pests have raised questions and concerns about the adequacy of estimating risk of each individual active ingredient alone, especially for products mixed prior to application or products containing multiple active ingredients. Synergy occurs when the combined effect of two or more active ingredients are greater than the sum of the effects the chemicals would have individually. EPA hopes this process will close the gap between patent claims and our ecological risk assessments. The specific feedback EPA is looking for is included in section IV of the Federal Register notice.